

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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MATTHEW J. HART, on behalf of Plaintiff  
and the class defined herein,

Plaintiff,

-vs-

ORDER

13-CV-6076 CJS

FCI LENDER SERVICES, INC.,

Defendant.

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Defendant's motion to dismiss the Amended Complaint is currently pending before the Court, and oral argument is scheduled to occur on December 5, 2013. On August 23, 2013, Plaintiff filed an amended motion to certify this action as a class action. In the interest of judicial economy, it is hereby

ORDERED, that the amended motion for class certification (Docket No. [#43]) is held in abeyance pending a resolution of the motion to dismiss. If the motion to dismiss is denied, the parties shall request a motion scheduling order for the class certification motion or submit a proposed stipulated briefing schedule for the Court's approval.

Dated: Rochester, New York  
September 6, 2013

ENTER:

/s/ Charles J. Siragusa  
CHARLES J. SIRAGUSA  
United States District Judge